



REPRESENTING PARENTS IN CHILD PROTECTION PROCEEDINGS

TAHJA L. JENSEN

ISB CHILD PROTECTION SECTION 02.22.19

T. JENSEN 2.22.19

REPRESENTATION ROADMAP

Client Contact/Rapport

- Connection, Education & Expectations

Parent Role in Process

- Responsibilities & Barriers

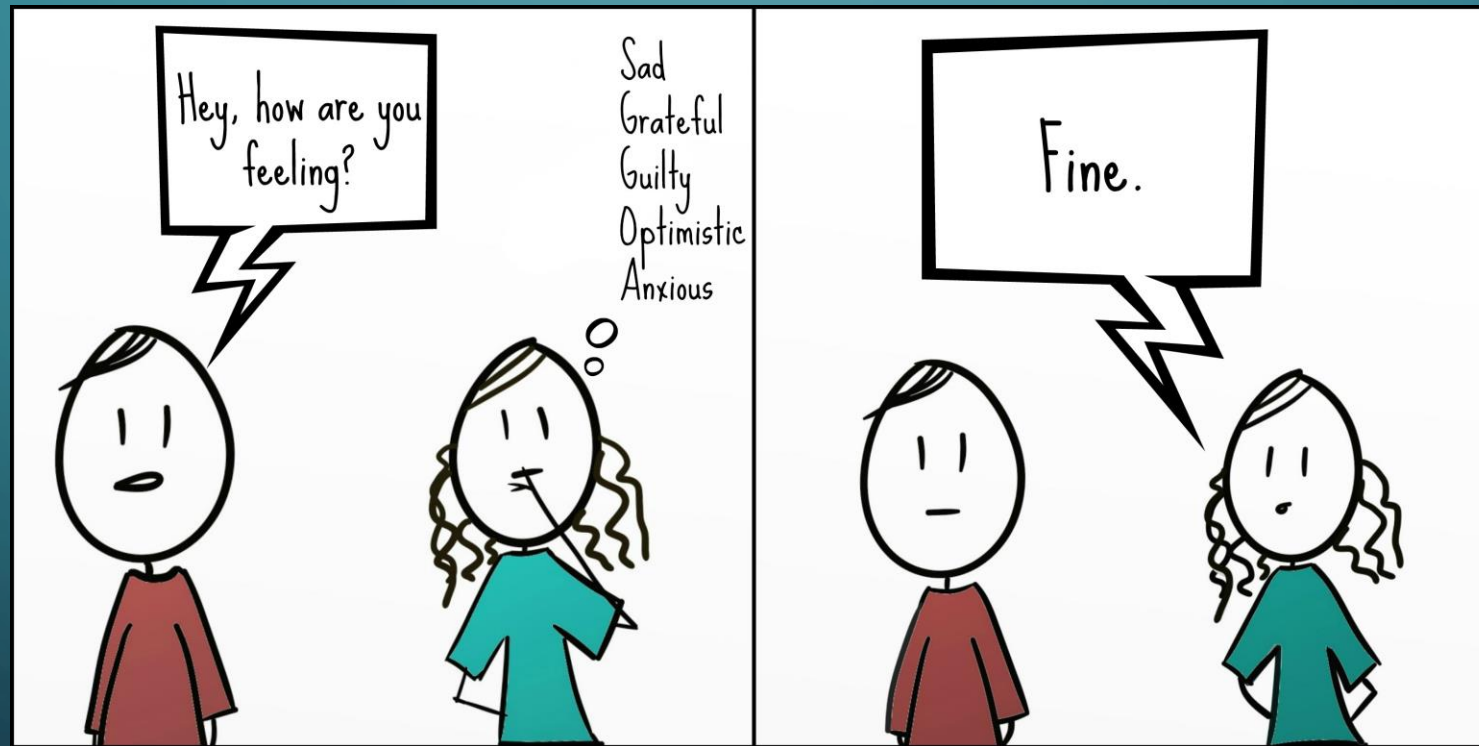
Attorney Role in Process

- Preparedness, Knowledge & Advocacy

The CP Attorney

- Best practices, reflection & self care

INITIAL CLIENT CONTACT



INITIAL CLIENT CONTACT

Connection

- ⑩ Information gathering
- ⑩ Make a connection as a parent/person
- ⑩ Role-balancing (be real)
- ⑩ Make realistic client assessments

T. JENSEN 2.22.19

Education

- ⑩ The people at the tables (Judge, GAL, Social Worker, Prosecutor, Attorneys)
- ⑩ Process, timeframes
- ⑩ CPA, FPS, FGDM, CASA, GAL, PTC, TPR and Acronym Hell

Expectations

- ⑩ Honesty
- ⑩ Goal Setting: break it down small
- ⑩ Communication methods

PARENT'S ROLE IN THE PROCESS

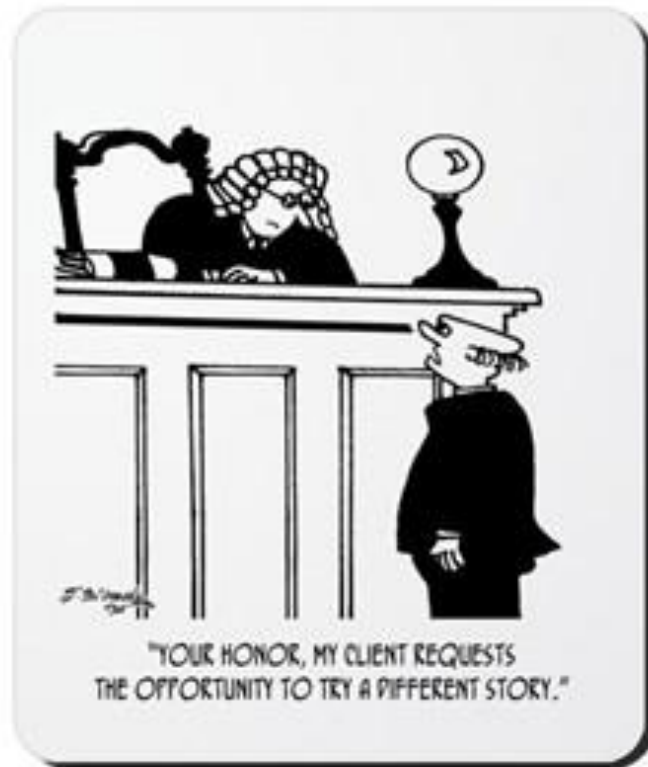
- Attend all Court/DHW scheduled meetings.
- Have positive visitation.
- Prepare your life to have your children returned to you.



BARRIERS TO PARENT SUCCESS

- Looking back, not forward.
- Adding additional stress to a less than stellar situation (visitation, classes, observation, family contacts, relived trauma).
 - Assessment of needs
 - Ethnocentricity awareness
- Criminal case(s).
- Lack of trust in everything.

ATTORNEY ROLE IN THE PROCESS



ATTORNEY'S ROLE: ADVOCACY

- Optics matter (your role is multifaceted)
- Humanizing the client and presenting their story
- Case Plans—the roadmap, make sure your client & DHW can read & follow it.
- Making the record (protection on appeal)

ATTORNEY'S ROLE: PREPAREDNESS

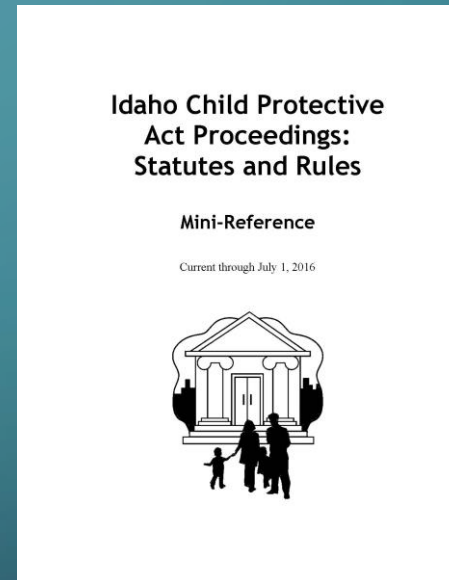
- Know your court and the practice.
- Prepare cases in advance.
- Calendar.
- Meeting with clients when appropriate & filing appropriate motions.
 - 6MR Report/Affidavit
 - Motion for Finding of No Reasonable Efforts
- Utilize discovery & REVIEW IT.

ATTORNEY'S ROLE: KNOWLEDGE

- Take every opportunity to train.
- Reach out to your colleagues.
- Keep good relationships with all parties involved—everyone can be professional.
- Utilize investigator/social worker functions available to you in your office/resources.

ATTORNEY'S ROLE: RESOURCES

- Utilize Child Protection Handbook



- Keep current on cases: <https://isc.idaho.gov/child-protection/law>

THE CP ATTORNEY: BEST PRACTICES

- Document correspondence with client.
- Document correspondence with parties.
- Have regular and “what if” conversations with your client.
- Know your limits and your caseload limits.
- Remember Rules of Professional Conduct.

THE CP ATTORNEY: REFLECTION

- Transformative Process
- In-Court Experience
- Opportunity to actually use the Idaho Rules of Civil Procedure
- Opportunity to actually use the Idaho Appellate Rules
- Rewarding

THE CP ATTORNEY: SELF CARE

- Have a support network.
- Leave it at work.
- Social media/public presence.
- Limit personal information.

QUESTIONS?

- Tahja Jensen tjensen@co.gem.id.us